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LETTER DATED 5 SEPTEMBER 1995 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you of Kuwait's position with respect to the developments that have taken place in connection with Iraq's procrastination in discharging its obligations under the Security Council resolutions relating to its aggression against the State of Kuwait since the Council's most recent review of the sanctions regime on 11 July 1995.

Iraq's record in discharging its obligations is predominantly one of desperate attempts to circumvent the resolutions of the Security Council. This is not the place to enumerate these practices, but perhaps the international community in general and the Security Council in particular can now know with greater certainty than ever before that this regime has lost its credibility and that it is not possible to place any reliance on its assertions or promises, to say nothing of the assurances it gives from time to time that it has discharged its obligations as laid down in the relevant resolutions. This can be said on the basis of the recent developments relating to the work of the Special Commission for the elimination of Iraqi weapons of mass destruction, the most important of which have been as follows:

1. Iraq's admission, after more than four years of denial, that it had an extensive biological-weapons programme for offensive purposes and that it had not been engaged in merely theoretical research in this field as it had previously claimed.

2. Iraq's claim, at the beginning of August, that it had handed over to Mr. Rolf Ekéus, Executive Chairman of the Special Commission, all of the information on this programme that had been requested.

3. The renewed invitation from the Iraqi regime to Mr. Ekéus to visit Baghdad in the middle of August in order to hand over to him new information concerning its biological programme and its programmes for other weapons of mass destruction, on the grounds that Hussein Kamel, the Minister of Industry and Mining, had concealed that information from the Special Commission. The truth, however, is that Iraq was seeking to retrieve the situation after learning that

the Special Commission had discovered in its investigations and its preliminary examination that the information was incomplete. It also wanted to forestall Hussein Kamel.

4. The provision by Iraq of significant information on its weapons programmes in the nuclear and missile fields after having claimed that it had already provided all of the relevant information in its possession and after having insisted that the files with regard to such weapons should be closed.

Although this unprecedented zeal on the part of the Iraqi regime to provide information is of benefit to the work of the Special Commission and to stability and security in the region, it nevertheless reveals in a manner that leaves no room for doubt that this regime has lost all credibility, that it cannot be trusted, that there can be no assurance that it will comply with the undertakings it has given, and that it alone is responsible for prolonging the suffering of its helpless people because of its procrastination and the evasion of its obligations.

The recent developments mentioned above, which have exposed the devious methods of the Iraqi regime and have caused it to lose credibility, lead us to suspect all of Iraq's assertions concerning the fate of the prisoners and missing persons that it has been holding in its prisons for more than four years in clear and explicit violation of the resolutions of the Security Council and of the provisions of paragraph 30 of resolution 687 (1991) in particular. The same applies to the issue of the return of stolen property, much of which remains in Iraq's possession and which it refuses to return. We have mentioned a number of such items in our previous periodic letters.

Accordingly, Kuwait urges the Security Council to make use of the recent developments that have exposed the devious methods of the Iraqi regime as a basis on which to deal with Iraq in regard to the issues of the prisoners and the return of property. It should use in resolving these two issues the same approach that led to the exposure of the methods in question, namely a firm and tenacious stance, disregard for the claims and lies of this regime and continued pressure on it. This approach has proved to be the best if not the only way to deal with Iraq and force it to comply fully with the letter and spirit of all the Security Council resolutions.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative